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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,967	12/01/2003	Soren Schroter	FRG 10300	3002

25306 7590 10/13/2006

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EXAMINER

HEWITT, JAMES M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/724,967	SCHROTER, SOREN	
	Examiner	Art Unit	
	James M. Hewitt	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/13/06 & 8/8/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-23,25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23,25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/1/03 & 2/13/06 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because the cross-hatching for each of the components shown in cross-section should correspond to the accepted cross-hatching for the materials of each of the components as outlined in MPEP 608.02 (IX). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure is objected to because the phrase "The present invention relates to" constitutes an implied phrase. Correction is required. See MPEP § 608.01(b).

Claim Objections

Claims 21-23 and 25-26 are objected to because of the following informalities:

Claims 21 and 25 are objected to under 37 CFR 1.75(i), which states "Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation."

In claim 21, lines 15-16, "in the socket connecting section" should be deleted for clarity.

Claim 22 positively recites the socket connecting section. Yet claim 22 depends from claim 21, which only functionally recites the socket connecting section, thus making it unclear as to whether the socket connecting section is being claimed as part of the invention.

For examination purposes, the Examiner has considered the socket connecting section as not being claimed as part of the invention.

In claim 25, lines 15-16, "the section of the socket" lacks proper antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-23 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshiharu et al (JP 10220654 A).

With respect to claim 21, Yoshiharu et al discloses a corrugated pipe connecting arrangement comprising a corrugated pipe with corrugations (5) extended transverse to its longitudinal axis, wherein said corrugated pipe is provided on at least one of its end regions with a connecting region (2) which is formed integrally with the corrugated pipe and can be inserted in a socket connecting section, said connecting region being provided for connecting to said socket connecting section with at least one or more serrated tooth-like profiles (10) which run in an insertion direction for connecting to the socket connecting section and can abut the inner circumference of the socket connecting section, wherein the serrated tooth-like profile exhibits a steeply descending flank on the side facing away from the insertion direction in the socket connecting section.

With respect to claim 22, wherein the inner circumference of the socket connecting section is plain-walled, at least in regions, over a full circumference.

With respect to claim 23, wherein said serrated tooth-like profile has an ascending flank in the insertion direction which is at an acute angle with respect to the insertion direction.

With respect to claim 25, Yoshiharu et al discloses a corrugated pipe comprising at least one corrugated pipe section (5) and at least one connecting region (2), wherein said connecting region is formed as one piece with said corrugated pipe section and the connecting region is provided with at least one or more serrated tooth-like profiles (10) running in an insertion direction for connecting to a connecting section, said serrated tooth-like profile having an ascending flank in the insertion direction, the serrated tooth-like profile exhibits a steeply descending flank on the rear side of the ascending flank, said steeply descending flank causing a significant resistance counter to the insertion direction with respect to wrenching forces when the corrugated pipe or its connecting region is pulled or wrenched out of the section of the socket.

With respect to claim 26, wherein the ascending flank is at an acute angle with respect to the insertion direction.

Claims 21-23 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Skinner (US 4,222,594).

With respect to claim 21, Skinner discloses a corrugated pipe connecting arrangement comprising a corrugated pipe (12) with corrugations (formed by grooves 16) extended transverse to its longitudinal axis, wherein said corrugated pipe is provided on at least one of its end regions with a connecting region (12) which is formed

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integrally with the corrugated pipe (after and can be inserted in a socket connecting section (14), said connecting region being provided for connecting to said socket connecting section with at least one or more serrated tooth-like profiles (22, 24) which run in an insertion direction for connecting to the socket connecting section and can abut the inner circumference of the socket connecting section, wherein the serrated tooth-like profile exhibits a steeply descending flank on the side facing away from the insertion direction in the socket connecting section.

With respect to claim 22, wherein the inner circumference of the socket connecting section is plain-walled, at least in regions over a full circumference.

With respect to claim 23, wherein said serrated tooth-like profile has an ascending flank in the insertion direction which is at an acute angle with respect to the insertion direction.

With respect to claim 25, Skinner discloses a corrugated pipe (12) comprising at least one corrugated pipe section (formed by grooves 16) and at least one connecting region, wherein said connecting region is formed as one piece with said corrugated pipe section and the connecting region is provided with at least one or more serrated tooth-like profiles (22, 24) running in an insertion direction for connecting to a connecting section (14), said serrated tooth-like profile has an ascending flank in the insertion direction, the serrated tooth-like profile exhibits a steeply descending flank on the rear side of the ascending flank, said steeply descending flank causing a significant resistance counter to the insertion direction with respect to wrenching forces when the

corrugated pipe or its connecting region is pulled or wrenched out of the section of the socket.

With respect to claim 26, wherein the ascending flank is at an acute angle with respect to the insertion direction.

Response to Arguments

Applicant's arguments filed 2/13/06 have been fully considered but they are not persuasive.

Applicant asserts that Yoshiharu does not disclose the limitation "wherein the serrated tooth-like profile exhibits a steeply flank on the side facing away from the insertion direction in the socket connecting section". Examiner disagrees. Yoshiharu's serrated tooth-like profile is substantially similar and nearly identical to that as depicted in Figure 5 of Applicant's disclosure. The teeth are defined by a mild slope and a steep flank on the side facing away from the insertion direction.

Applicant asserts that Skinner does not disclose the limitations "wherein the serrated tooth-like profile exhibits a steeply flank on the side facing away from the insertion direction in the socket connecting section" and "said serrated tooth-like profile has an ascending flank in the insertion direction, the serrated tooth-like profile exhibits a steeply descending flank on the rear side of the ascending flank, said steeply descending flank causing a significant resistance counter to the insertion direction with respect to wrenching forces when the corrugated pipe or its connecting region is pulled or wrenched out of the section of the socket." Examiner disagrees. Skinner's serrated

tooth-like profile is substantially similar to that as depicted in Figure 5 of Applicant's disclosure. The teeth are defined by a mild slope (ascending flank as at 28) and a steeply descending flank (as at 32) on the side facing away from the insertion direction (on the rear side of the ascending flank), the steeply descending flank causing a significant resistance counter to the insertion direction with respect to wrenching forces when the corrugated pipe or its connecting region is pulled or wrenched out of the section of the socket.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

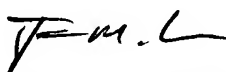
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH
10/9/06


JAMES M. HEWITT
PRIMARY EXAMINER